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Report of the Secretary-General on the situation concerning Western Sahara

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 2152 (2014), by which the Council extended the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) until 30 April 2015 and requested me to provide a report to it on the situation in Western Sahara well before the end of the mandate period. It covers developments since my report dated 10 April 2014 (S/2014/258) and describes the situation on the ground, the status and progress of the negotiations on the future of Western Sahara, the implementation of resolution 2152 (2014) and the existing challenges to the Mission's operations and steps taken to address them, as requested by the Council in its resolution 2152 (2014).

II. Recent developments

2. The situation in Western Sahara, as it presents itself to MINURSO, is generally calm. The ceasefire continues to hold. Tensions between the parties and periodic incidents and demonstrations did not have a major effect on the overall environment during the period.

3. West of the berm, public life proceeded peacefully and included large gatherings at social events in urban areas without major incidents. On the occasions MINURSO was able to witness, an extensive presence of Moroccan security forces was noted. This part of Western Sahara continued to receive significant Moroccan public infrastructure investments, notably in roads and port facilities in Boujdour and Dakhla.

4. Thirteen foreign delegations from national legislatures, diplomatic missions and governmental and non-governmental institutions, as well as journalists and academic researchers, visited MINURSO headquarters during the reporting period and were informed about the Mission's mandate and activities. According to local authorities, some 50 additional delegations conducted visits. Also according to local authorities, 18 delegations and 8 individual travellers, mostly European supporters of Western Saharan self-determination, researchers and media workers alleged to have misrepresented their purpose, disturbed public order or refused to coordinate with the authorities, were excluded or expelled.

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5. A level of discontent was perceptible among the Western Saharan population west of the berm, illustrated in intermittent demonstrations throughout the reporting period in Laayoune and other towns. These events aimed to draw attention to human rights concerns, socioeconomic issues and political demands, including the right to self-determination, with youth emphasizing the lack of employment opportunities and organizing informal associations to press for redress. These protests were small in scale and the Moroccan security forces dispersed them quickly. On several occasions, credible reports were received about the disproportionate use of force on the part of the security forces and hostile actions on the part of the demonstrators in response.

6. On the 6 November 2014 anniversary of the 1975 "Green March", King Mohammed VI stated that "the Sahara will remain part of Morocco until the end of time". Regarding the negotiating process, he declared that "[t]he fact that Morocco chose to cooperate in good faith with all parties should not be interpreted as a sign of weakness; nor should it be used as a means to ask for more concessions". He continued that "[t]he autonomy initiative is the maximum Morocco can offer ... to achieve a final solution to this regional conflict". He further stressed that "Morocco's sovereignty over its entire territory is effective, inalienable and non-negotiable". He also indicated that Morocco was "willing to be more open to all international human rights bodies and organizations that abide by the principles of neutrality and objectivity in dealing with Moroccan issues", while rejecting "any attempt to reconsider the principles and criteria of the negotiating process and any attempt to revise and expand the mandate of MINURSO to include such matters as monitoring of the human rights situation". The King affirmed support for the October 2013 Moroccan Economic, Social and Environmental Council's proposed development plans for the so-called "southern provinces", which pertain to Western Sahara and areas to the north. He noted the need to address malfunctions in the governance of those areas and also announced the implementation of "advanced regionalization". Three government bills submitted on 29 January 2015 propose to devolve more powers to the local level and are pending parliamentary review. In its 8 November reaction, Frente Polisario strongly criticized the King's speech and called it a "clear announcement of rebellion against the Charter of the United Nations and its resolutions, which define the nature of the Western Sahara problem, the framework for a solution and the basis of the negotiating process ... and specify clearly and unambiguously that the Western Sahara issue is an issue of decolonization whose two parties are Frente Polisario and the Kingdom of Morocco and whose solution resides in enabling this people to exercise its inalienable right to self-determination and independence". It called on the international community "to hasten in taking the positions and measures needed to confront this dangerous intransigence and oblige the Kingdom of Morocco to obey the requirements of international law and humanitarian law". It also called on the United Nations to apply the 1991 Settlement Plan of the United Nations and the Organization of African Unity and stop the plundering of Western Sahara's resources.

7. From 12 to 14 March 2015, a Swiss non-governmental organization the Crans-Montana Forum, held an event in what it referred to as "Dakhla, Morocco". The Permanent Representative of Morocco informed me by letter that the Forum's focus had been Africa's economic development and South-South cooperation, that it had been attended by delegates from 115 countries and that 38 young African entrepreneurs, including 8 Saharans from Laayoune and Dakhla, had been

nominated for awards. Frente Polisario and the African Union contested the venue of this Forum on the basis that the legal status of Dakhla and the rest of Western Sahara had yet to be determined through negotiations. Following press reports of a high-level United Nations presence, my spokesperson issued a note to correspondents indicating that my Special Advisor on Innovative Financing had attended exclusively in his private capacity and that I had not delegated him or anyone else to represent me or the United Nations. He further noted that the definitive status of Western Sahara was the object of a negotiating process being conducted under my auspices in accordance with the relevant United Nations resolutions.

8. In the refugee camps near Tindouf, Algeria, public life and social activities were conducted peacefully and in a relatively calm atmosphere. However, the severe living conditions declined further as a result of reductions in international humanitarian aid (see para. 77 below), and the camp inhabitants continued to suffer from chronic unemployment, reduced remittances from limited employment opportunities abroad and lower income from informal trade across the border between Algeria and Mauritania. Sixteen international delegations visited the MINURSO liaison office in Tindouf and were informed about the Mission's mandate and activities.

9. Within parts of the refugee community, after 40 years in refugee camps, increasingly difficult economic conditions and no visible progress towards a political solution, frustration is coalescing. Individuals returning from higher education studies abroad bring greater civic and political awareness and compare the hardship in the camps with living standards elsewhere, applying pressure on the Frente Polisario leadership to secure better lives for camp inhabitants. Frente Polisario has also alerted MINURSO to the "hundreds and hundreds of idle youths" affected by an environment that includes proximity to smuggling routes and extremist activity in the Sahel.

10. These conditions present political, economic and security concerns. Two demonstrations were held in the Laayoune camp and five in Rabouni during the reporting period. On one occasion observed by a MINURSO officer, Frente Polisario security forces intervened to prevent demonstrators from entering the premises of the Secretary-General of Frente Polisario. Frente Polisario authorities subsequently undertook to address the demonstrators' concerns through broader consultative and inclusive governance processes.

11. Four incidents of arson in public buildings occurred in the Smara, Dakhla, Laayoune and Awsard camps in May and June. Frente Polisario investigations revealed attempted sabotage. Also in June, a group of young men engaged in an aggressive discussion with the Wali of Laayoune camp, subsequently setting fire to his office and stoning his vehicle. Several suspected perpetrators were detained and later released.

12. East of the berm, in the north-eastern part of Western Sahara, MINURSO observed an increase in civilian activities and local infrastructure construction in six villages, evidently reflecting the programme approved by the "Sahrawi National Council" in April 2014 to "consolidate the exercise of sovereignty in the liberated territories". Largely abandoned in 1976, several areas are now seeing a return of original inhabitants from the refugee camps, particularly during the milder climate of summer. However, several of the areas witnessing initial development remain

highly contaminated by mines and explosive remnants of war, limiting any additional growth, curtailing livelihoods and placing residents at risk.

13. During the reporting period, the Secretary-General of Frente Polisario wrote to me on 11 occasions, reiterating his concerns about anomalies in the part of Western Sahara west of the berm. The letters raised allegations of human rights violations, disproportionate use of force and illicit exploitation of natural resources and called repeatedly on the United Nations to implement appropriate remedies, arrange the release of all Western Saharan political prisoners and institute a human rights monitoring mechanism for Western Sahara.

III. Activities of my Personal Envoy

14. Following the publication of my previous report on 10 April 2014 (S/2014/258), Morocco expressed strong reservations regarding some elements of the report, the contours of the negotiating process and the mandate of MINURSO. It agreed in principle to the continuation of my Personal Envoy's bilateral consultations and shuttle diplomacy and to the deployment of my new Special Representative for Western Sahara and head of MINURSO, but asked to enter into a dialogue on the issues that concerned it before re-engaging, stating that it sought clarification for the purpose of ensuring that the negotiating process would proceed smoothly, including with regard to the preparation of the present report. On 22 January 2015, King Mohammed VI and I spoke by telephone and agreed on the way forward. I confirmed that reports to the Council would remain objective and reflect facts. In reply, the King confirmed that Morocco welcomed the return of my Personal Envoy and the deployment of my new Special Representative and head of MINURSO to Laayoune.

15. After the call, my Personal Envoy undertook the first set of consultations in the region in almost a year to re-establish contact with interlocutors old and new, strengthen confidence in the negotiating process and clarify the way forward on the basis of the approach identified in my previous report. From 11 to 23 February 2015, he visited Rabat, Rabouni, Nouakchott and Algiers. During his meetings, he highlighted the importance of negotiating without preconditions and in good faith and urged the parties to move beyond their respective proposals by seeking innovative approaches that could help to achieve progress towards "a mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara".

16. In Rabat, my Personal Envoy met with the Minister for Foreign Affairs, Salaheddine Mezouar, the Minister-Delegate, Mbarka Bouaida, and other high-level officials. Mr. Mezouar welcomed the telephone call between the King and myself, highlighting that it had provided the basis for future interactions. He expressed hope that the negotiating process would develop in a serene way and without surprises. He reiterated the long-standing position of Morocco that the autonomy proposal it had presented in 2007 should serve as the basis for negotiation, arguing that the Security Council had recognized its pre-eminence. As on previous occasions, the Minister stressed the role of Algeria in the conflict and noted that Morocco, a State Member of the United Nations, and Frente Polisario, a non-governmental movement, should not be treated on an equal footing.

17. In Rabouni, near Tindouf, my Personal Envoy met with the Secretary-General of Frente Polisario, Mohammed Abdelaziz; the Coordinator of Frente Polisario with MINURSO, M'hamed Khaddad; the head of Frente Polisario's negotiating delegation, Khatri Adduh, and other representatives of the movement. His interlocutors expressed disappointment at the lack of progress in the negotiating process, voiced regret that I had provided assurances to Morocco without consulting them as the other party and manifested their unhappiness over the lack of attention that they perceived from the United Nations. They stressed that, as one of the two parties to the conflict, they should be treated on an equal basis. All interlocutors expressed uneasiness regarding the growing frustration in the camps, not only among Saharan youth, but increasingly within the military as well. They warned that their appeals for patience in the face of growing disillusionment with the negotiating process were becoming ineffective owing to the lack of progress.

18. In Nouakchott, President Mohamed Ould Abdel Aziz and the new Minister for Foreign Affairs, Vatma Vall Mint Soueina, reiterated Mauritania's long-standing position of "positive neutrality" in this conflict. The President highlighted some of the negative spillover effects of the dispute, in particular the considerable quantity of cannabis resin arriving at the northern borders of his country for transit into Mali and beyond. He underlined that this phenomenon posed a serious security threat to all countries in the Sahel-Saharan region in that it helped to finance criminal, extremist and terrorist groups.

19. In Algiers, President Abdelaziz Bouteflika received my Personal Envoy after meetings with Prime Minister Abdelmalek Sellal, the Minister for Foreign Affairs, Ramtane Lamamra and the Minister-Delegate, Abdelkader Messahel. The Algerian authorities reiterated their long-standing position regarding the importance of holding a referendum of self-determination to determine the future of Western Sahara. In this regard, they insisted on the significance of a balanced negotiating process under the auspices of the United Nations. They also stated that Algeria was not a party to the conflict. All interlocutors criticized the United Nations for having overstepped its prerogatives in providing "unilateral and counterproductive" assurances to Morocco, in particular regarding the present report, without consulting the Security Council or the other party. The Prime Minister expressed fear that support for radical groups or a return to military hostilities would grow if the refugee population lost hope that a political solution could be found.

20. From 22 to 29 March, my Personal Envoy again travelled to the region to consult on the next steps, including the preparation of the present report, visiting successively Nouakchott, Rabouni, Rabat and Algiers. At each stop, he emphasized the dangers of the situation in the Sahel-Saharan region, the growing frustrations in the refugee camps and the importance of an early solution to the Western Sahara conflict. In Rabouni and Rabat, he sought useful information that could assist in making the present report a contribution to the negotiating process. With regard to the next steps, a consensus emerged that a return to face-to-face discussions between the parties was premature and that my Personal Envoy should continue his programme of bilateral consultations and shuttle diplomacy for the foreseeable future.

21. My Personal Envoy also resumed his consultations with members of the Group of Friends, visiting successively, Madrid, Paris, London, Moscow and Washington, D.C. In the discussions, my Personal Envoy's interlocutors expressed satisfaction

with the resumption of the negotiating process and reiterated their full support for his efforts. For his part, my Personal Envoy highlighted the need to induce the parties to show flexibility in their long-standing positions. He also drew attention to the growing security threats in the Sahel-Saharan region, including a possible future nexus between the frustrated refugee population and the expanded activities of criminal, extremist and terrorist groups. He emphasized that such threats further underscored the importance of an early solution to the Western Sahara conflict. In Madrid, he also expressed his deep appreciation for the continuing facilitation of his mission by the Government of Spain through the provision of a Spanish Air Force aircraft for his travels within the North African region.

IV. Activities of the United Nations Mission for the Referendum in Western Sahara

22. The period during which my Special Representative was unable to deploy to MINURSO marked a decline in Mission engagement with the authorities west of the berm. This included a decline in contacts with senior officials, whose interlocutor in implementing the mandate of MINURSO is normally the Special Representative.

A. Operational activities

23. As at 31 March 2015, the military component of MINURSO stood at 203 personnel, 3 of whom were female, against the authorized strength of 246. The military component remains deployed at nine team sites and at liaison offices in Tindouf, Algeria, and Dakhla, Western Sahara. The MINURSO military observer strength has been increased by 15 to 218, with the additional contributions arriving from existing and new troop contributors. However, prolonged entry processes for a number of incoming military personnel contributed to stretching operational capacity and strained remaining observer assets for part of the period. On 31 March, MINURSO was notified verbally that the pending visa applications had been approved.

24. From 1 April 2014 to 31 March 2015, MINURSO conducted 9,502 ground patrols and 493 aerial patrols to visit and monitor units of the Royal Moroccan Army and the military forces of Frente Polisario for adherence to the military agreements. In the course of the patrols, MINURSO military observers regularly monitored 570 units, 29 training areas and 316 observation posts, as well as 355 notified operational activities by the Royal Moroccan Army west of the berm. East of the berm, military observers regularly monitored 93 units, 8 training areas and 38 observation posts, as well as 4 notified operational activities by Frente Polisario military forces. MINURSO observed eight demonstrations by Frente Polisario supporters near the berm to verify their exclusively civilian nature and defuse or prevent possible tensions. On rare occasions, MINURSO military observers faced verbal aggression by demonstrators expressing dissatisfaction with the lack of political progress and the failure of the United Nations to achieve a resolution. In written communications with the Force Commander, the Royal Moroccan Army complained that such demonstrations constituted violations of military agreement No.1 and increased the risk of escalation between the parties.

25. MINURSO observed one new violation of freedom of movement by the Royal Moroccan Army. Nine long-standing violations remained, as indicated in my previous report (S/2014/258, para. 35). The Royal Moroccan Army removed 123 of the 325 observation posts comprising its second line of defence 15 kilometres from the berm, a major long-standing violation since September 2008. As at 9 March 2015, 121 observation posts remained operational. Some 1,000 to 1,200 Moroccan soldiers were redeployed to reinforce strong points already established on the berm. The Royal Moroccan Army continued to contest notifications of long-standing violations of the ceasefire regime, indicating that "situational necessities" unrelated to the ceasefire were involved. East of the berm, MINURSO recorded two new violations and two freedom-of-movement violations by Frente Polisario forces. Three long-standing violations remained, as indicated in my previous report (ibid.). In their discussions with MINURSO, both parties reiterated their commitment to the ceasefire.

26. The Mission's assessment is that both parties remain fully committed to and respectful of the ceasefire and that their observed violations do not jeopardize it in the medium term. Rather, as has been observed in previous reports, they have resulted in a gradual shift in the original military status quo over the years.

27. MINURSO continues to advocate that any discrepancies vis-à-vis the determination of ceasefire monitoring violations and potential security concerns in that context be addressed in the framework of military agreement No.1. The Mission revived dedicated working group discussions with the parties that were initiated in November 2013 to clarify understandings of the agreement, reconcile variations in approach, address the concerns put forward by each party with regard to application of the agreement in the current operational environment and strengthen the MINURSO monitoring regime overall, in particular with regard to access to military facilities and violation definitions.

28. In March, April and June 2014, three rounds of discussions were held with representatives of the Royal Moroccan Army. In March, May, June and September 2014, four rounds were held with representatives of the Frente Polisario forces. MINURSO considered the parties' initial proposals for potential adjustments to military agreement No.1 and identified respective areas of concern.

29. In November 2014, heavy rains and massive flooding caused extensive damage to Royal Moroccan Army and Frente Polisario facilities, and the Royal Moroccan Army forwarded a number of requests for and notifications of repairs to MINURSO. Team sites located east of the berm were also affected by the storms, which temporarily disrupted the Mission supply chain. Frente Polisario authorities provided timely and significant support for MINURSO during the disruption.

30. Contamination of Western Sahara by landmines and explosive remnants of war continues to endanger the lives of local, nomadic and refugee populations, as well as MINURSO military observers and logistical teams. As at 31 March 2015, 57 cluster strike areas and 41 minefields remained to be addressed. Many are located in areas that have recently seen increased civilian activity. East of the berm, four accidents occurred, in which one civilian and one soldier were killed and five civilians and five soldiers injured. West of the berm, six incidents occurred in which two civilians and one soldier were killed and three civilians and three soldiers injured.

31. East of the berm, humanitarian clearance of landmines and explosive remnants of war, route verification, risk education and capacity development activities were undertaken by the MINURSO Mine Action Coordination Centre, in partnership with the international non-governmental organizations Action on Armed Violence and Norwegian People's Aid, the local non-governmental organization Sahrawi Campaign to Ban Landmines, and commercial contractors Mechem and Mine Tech International. Demining teams cleared 4,608,423 m^2 of land and verified 1,766,859 m^2 of land along MINURSO patrol routes east of the berm; the Royal Moroccan Army reported clearance of over 222,800,000 m^2 of land west of the berm.

32. Morocco, Frente Polisario and Algeria have primary responsibility for the security of United Nations civilian and military staff in the respective Mission locations. At the request of the Mission, Frente Polisario also provides MINURSO patrols east of the berm with armed escorts in the vicinity of the Mauritanian border. In addition, the Directorate-General for Humanitarian Aid and Civil Protection of the European Commission and the Spanish Agency for International Development Cooperation have funded additional capacities, including an international security officer integrated into the MINURSO security management system, to increase security for humanitarian activities and humanitarian personnel in the camps. Through its liaison office in Tindouf, MINURSO supports the United Nations agencies on the ground. The joint security coordination committee continued to provide a mechanism for cooperation between the United Nations, donors, humanitarian actors and Frente Polisario, enabling stakeholders to exchange information and take mitigation measures. My designated official for security held regular exchanges with the United Nations humanitarian agencies in the refugee camps near Tindouf.

33. While the security environment in Western Sahara appears generally stable, the longer-term effects of regional instability remain of concern for the Mission, the parties and their neighbours, all of whom have taken additional security measures to prevent infiltration by radical groups. In November 2014, the Moroccan Ministry of the Interior announced the arrest of four French nationals allegedly linked to terrorist groups, three of whom were apprehended in Laayoune. Algerian authorities alerted MINURSO to the suspected transport of explosives into or via Tindouf province in mid-November 2014; the two vehicles under surveillance were subsequently stopped in Mauritania. On 4 December 2014, Frente Polisario security forces intercepted approximately 120 pounds of cannabis resin from armed smugglers operating through the east of the berm, the destruction of which MINURSO was invited to witness in June. During the period, Frente Polisario reinforced and maintained strengthened security around the United Nations compound in Tifariti.

34. Given the potential effects of increasing regional insecurity, MINURSO enhanced attention to and assessment of security conditions in its area of operation, requiring military observers to maintain a state of high alert and to keep the Mission abreast of suspected illegal activities that could affect their safety. My Special Representative and the Department of Safety and Security have initiated a reassessment of security precautions and procedures in cooperation with the parties and with Algeria. Since April 2014, the Department has conducted two comprehensive compliance evaluations of the Mission security system, and its recommendations are now being implemented.

35. The Department of Peacekeeping Operations conducted a military capability study of the MINURSO military component in March 2015. The study reviewed the current configuration and operational capacities relative to mandated tasks, existing challenges and projected risks to mandate implementation and personnel, factoring in regional security dynamics. The effect of the additional 15 observers could not yet be fully assessed as it was offset by delays in other incoming observer deployments. Preliminary findings suggest that, while adequately positioned at the authorized strength to execute mandate requirements with the cooperation with the parties, adjustments in patrol route variations, team site rotations and site-specific security assessments could enhance operational delivery and the safety of observers. The conclusions and recommendations from the capability study will be finalized in the coming month and presented to MINURSO troop contributors.

B. Substantive civilian activities

36. During the early part of the reporting period, my outgoing Special Representative maintained constructive contacts with the parties on all issues related to the Mission mandate, primarily through the respective coordination offices and directly with Frente Polisario leadership. During the remainder of the period, the acting head of Mission, as well as the Political Affairs Office and the liaison office in Tindouf, continued interactions to the extent possible pending the arrival of my new Special Representative. Political affairs officers regularly visited Rabat from May to July 2014, resuming the visits after the deployment of my new Special Representative, to inform the diplomatic community about developments in the area of operations and Mission activities. As noted in paragraph 4 above, visitors to Laayoune and Tindouf were provided with briefings and assessments to better understand the local situation and the work of MINURSO.

37. My new Special Representative, Kim Bolduc, arrived in the Mission on 6 February 2015, following the conclusion of her predecessor's assignment on 31 July 2014. Beginning on 15 November 2014, the MINURSO leadership function was performed by Ms. Bolduc from Headquarters in New York. Upon deployment, she was assured by the Moroccan authorities of their intention to cooperate fully with MINURSO in all matters concerning implementation of the Mission's mandate as defined by the Security Council. They indicated that prior agreements and procedures would be maintained.

38. The Frente Polisario leadership renewed its commitment to full support for and cooperation with my Special Representative in implementing the Mission's mandate. East of the berm and in the refugee camps, access by MINURSO and United Nations agencies to interlocutors remained unhindered, enabling free interaction with Frente Polisario representatives and refugees, as well as local and international civil society organizations. The liaison office in Tindouf maintained constructive cooperation with the civilian and military components of Frente Polisario on all matters related to Mission mandate implementation.

39. Both parties continue to diverge significantly in their interpretation of the MINURSO mandate. Morocco considers the mandate to be limited to ceasefire and military matters, demining and logistical support for confidence-building measures. Frente Polisario considers that the organization of a referendum for self-determination remains its central element. These opposing views have a direct

impact on the credibility of the Mission vis-à-vis the parties, affecting its ability to fully implement its mandate and exercise standard peacekeeping functions. For the United Nations, the successive Security Council resolutions define the mandate of the United Nations Mission for the Referendum in Western Sahara. The standard peacekeeping functions performed by United Nations operations throughout the world underpin effective mandate implementation, including assessments of and reporting on local conditions that may affect their operations and the political processes.

40. The perception of MINURSO and United Nations impartiality continues to be affected by the fact that MINURSO vehicles operate with Moroccan licence plates west of the berm. Logistical and administrative complications also arise, since Moroccan licence plates must be removed and replaced by United Nations plates when MINURSO vehicles cross east of the berm and travel outside the area of operations. Implementation of the March 2014 verbal agreement of the Moroccan authorities to gradually replace Moroccan licence plates with United Nations licence plates for MINURSO vehicles, as agreed with my previous Special Representative (see S/2014/258, para. 50), has not begun. The Minister for Foreign Affairs reiterated this commitment to my new Special Representative in February 2015.

V. Humanitarian activities and human rights

A. Persons unaccounted for in the conflict

41. The International Committee of the Red Cross, playing a role as neutral intermediary, continued to work with the parties and families concerned in treating the cases of persons still unaccounted for in relation to the past conflict.

B. Assistance to and protection of Western Saharan refugees

42. In accordance with its mandate, the Office of the United Nations High Commissioner for Refugees (UNHCR) continued to provide international protection and, together with its partners, basic life-saving assistance to refugees in the camps near Tindouf. This included the implementation of multisectoral activities in the areas of water, sanitation, health, nutrition, shelter and distribution of non-food items. UNHCR continued to carry out its mandated responsibilities in protection and community services through regular field visits and a network of community refugee outreach workers in all camps. Pending the registration of the refugees in the camps near Tindouf, the humanitarian assistance provided by UNHCR and the World Food Programme (WFP) continued to be based on a population planning figure of 90,000 vulnerable refugees, with WFP furnishing an additional 35,000 food rations to persons with poor nutritional status in the camps.

43. In the health sector, UNHCR and its partners continued to cover up to 60 per cent of the needs in the refugee camps. Chronic conditions such as diabetes, high blood pressure, anaemia, heart disease and hepatitis B remained the main health concerns. The key gaps faced in providing basic health care were related to the maintenance and development of the health infrastructure. UNHCR supported multidisciplinary medical commissions to provide specialized consultations to refugees in the camps on a quarterly basis. The preventive health programme aimed

at reducing chronic malnutrition and anaemia in the camps targeted more than 22,000 persons of concern in 2014, including children under 5 years of age and pregnant and lactating women.

44. Working through its partner organization, UNHCR provided financial support to 1,719 primary, intermediate and secondary school teachers in five camps, ensuring that all children between the ages of 6 and 11 were enrolled in primary education and that all children between the ages of 12 and 14 were enrolled in intermediate school. UNHCR partners also facilitated capacity-building training focusing on better teaching and school management. For its part, WFP continued to support the school feeding programme. Altogether, 450 young refugees were enrolled in vocational training courses in the camps.

45. During the reporting period, UNHCR also continued to ensure the supply of potable water to all refugees living in the five camps. Preventive plans for the regular maintenance and rehabilitation of water facilities were implemented to optimize the use of the existing water infrastructure. Efforts and resources continue to be focused on the extension of the water distribution network in all camps.

46. Hygiene kits were distributed to 38,450 women and girls of reproductive age. Through its partners, UNHCR has also procured raw materials for the production of bleach and soap, which were distributed to health, water and education facilities.

47. UNHCR has been working in close collaboration with relevant basic service providers for cases of sexual and gender-based violence to ensure that referral mechanisms and quality response services are available in terms of legal, medical and psychosocial support.

C. Confidence-building measures

48. In conformity with its mandate and principles, and with the cooperation of both the Government of Morocco and Frente Polisario, UNHCR implemented the confidence-building measures programme from April to June 2014, striving to facilitate contact and communication between refugees in the camps near Tindouf and their families west of the berm. Family visits, cultural seminars and coordination meetings in Geneva between the two parties, with the two neighbouring States, Algeria and Mauritania as observers, remained the three fundamental components of the updated January 2012 plan of action for the confidence-building measures programme. MINURSO supported the programme by providing medical staff and police officers to facilitate preparations and escort beneficiaries to their destinations.

49. A total of 20,699 individuals have benefited from the family visits programme since 2004. Of that total, 997 persons participated in the family visits from January to June 2014, including 641 from the Saharan refugee camps near Tindouf and 356 from west of the berm. Flights for the family visits have been suspended since June 2014 because of disagreements between the two parties over the list of candidates for family visits. Since then, no coordination meeting has taken place. UNHCR remains ready to facilitate the dialogue required for prompt resumption of the programme through the existing coordination mechanism.

D. Human rights

50. As jointly agreed, a technical team from the Office of the United Nations High Commissioner for Human Rights (OHCHR) visited Laayoune and Dakhla in Western Sahara from 28 April to 2 May 2014 to help prepare the visit of the United Nations High Commissioner for Human Rights to Morocco.

51. At the invitation of King Mohamed VI, the then High Commissioner, Navi Pillay, visited Morocco from 27 to 29 May 2014 and met with the King, high-level officials and representatives of the National Human Rights Council, the Economic, Social and Environmental Council and representatives of civil society. The High Commissioner noted the great strides made by Morocco towards better promotion and protection of human rights. At the same time, she raised human rights concerns, including in Western Sahara. She encouraged the Government of Morocco to ensure that human rights and fundamental freedoms were equally protected in Morocco and Western Sahara. She stressed that, for the National Human Rights Council to be able to effectively promote and protect human rights in Western Sahara, local and national authorities needed to cooperate fully with the institution, including by promptly replying to complaints. The High Commissioner expressed the readiness of OHCHR to provide technical assistance for the two regional offices of the National Human Rights Council.

52. The offices of the National Human Rights Council in Laayoune and Dakhla continued to carry out a range of activities, including monitoring demonstrations, visiting prisons and medical centres and organizing capacity-building activities for various stakeholders. The Council continued to monitor the implementation of the recommendations of the Equity and Reconciliation Commission for former victims of human rights violations. In 2014, the offices of the Council received 415 complaints of alleged violations of civil, political, economic and social rights in Western Sahara and carried out 20 fact-finding missions in follow up to some of the complaints.

53. During the reporting period, the Government of Morocco extended invitations to 10 special procedures mandate holders of the Human Rights Council. Nevertheless, no visits of special procedures mandate holders were undertaken west of the berm, for the most part owing to scheduling issues. Similarly, no special procedures mandate holders visited the refugee camps near Tindouf.

54. In March 2015, the Government of Morocco invited United Nations High Commissioner for Human Rights, Zeid Ra'ad Al Hussein, to visit to Morocco in the course of the year. In addition, as jointly agreed, OHCHR would carry out a mission to Morocco and Western Sahara from 12 to 18 April 2015. OHCHR also agreed with the Government of Algeria, as the host country, and Frente Polisario regarding a mission to visit the refugee camps near Tindouf from 4 to 10 May 2015.

55. During the reporting period, some Saharan human rights organizations continued to face difficulties operating west of the berm, including their access to official premises, convocation of public events and holding of demonstrations. One of these organizations, l'Association sahraouie des victimes des violations graves des droits de l'homme, had applied for legal status. In March 2015, pursuant to a recommendation by the National Human Rights Council, the Moroccan authorities announced its registration. Another organization, l'Association el Ghad pour les droits de l'homme, was also registered.

56. According to some human rights organizations, the Moroccan authorities did not permit demonstrations in Western Sahara west of the berm during the reporting period, notably preventing demonstrations calling for self-determination, defending prisoners' rights or raising socioeconomic issues. Such gatherings continued to be forcibly dispersed, with allegations that Moroccan law enforcement officials used excessive force in suppressing demonstrations, including towards women and children. In some cases, protesters and activists were reportedly subjected to arbitrary arrest, torture, ill treatment and prosecution. Furthermore, reports indicate that very few injured protesters, including those detained, had access to a doctor. As a result, most were unable to obtain a medical certificate to formally document the violence to which they stated they had been subjected.

57. In its September 2014 presentation to the Human Rights Council concerning its visit to Morocco and Laayoune in Western Sahara in December 2013, the Working Group on Arbitrary Detention reported a number of concerns related to its area of competence, including the continued detention of the 21 Saharans belonging to the Gdeim Izik camp group, with some serving life sentences, following a decision of a military tribunal in 2013 (A/HRC/27/48/Add.5).

58. Information received from some human rights organizations indicates acute overcrowding, unsanitary conditions, malnutrition and limited or no access to medical care in places of deprivation of liberty. During the reporting period, local human rights organizations reported that at least three Western Saharans died while in custody in Western Sahara, including as a result of medical neglect. According to the Moroccan authorities, two of the deaths were suicides and one was the result of a prison brawl. On different occasions during the reporting period, Western Saharan prisoners and detainees went on hunger strikes in protest against their treatment and prison conditions. This led in a deterioration of the health of several persons deprived of their liberty.

59. One major positive development was Morocco's accession to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment on 24 November 2014. According to the Optional Protocol, the Government should establish or designate, within one year of accession, a national preventive mechanism with a mandate to monitor all places of detention and make recommendations to the authorities on preventing torture and ill-treatment, among other things. Accession to the Optional Protocol and the establishment of a national preventive mechanism should enhance prevention of torture and ill-treatment, including in Western Sahara.

60. Another positive development was the adoption by the Parliament of the new Code on Military Justice (No.108-13), which was published in the *Official Gazette* in January 2015 and is to enter into force six months after publication. The law excludes civilians from the jurisdiction of military tribunals, which are competent to deal solely with military crimes and offences committed in wartime. The law also provides for the creation of a military court of appeals. According to the new law, ongoing cases concerning civilians in military tribunals will be transferred to regular courts.

61. In its most recent concluding observations concerning Morocco, published at the end of 2014, the Committee on the Rights of the Child welcomed the Government's efforts in Western Sahara, including major demining efforts, and urged them to respect and protect the rights of all children living in Western Sahara

and to take all necessary measures to prevent violations of their rights (CRC/C/MAR/CO/3-4, CRC/C/OPAC/MAR/CO/1).

62. During the reporting period, investments in the territorial waters adjacent to Western Sahara continued to be a subject of contention between the Government of Morocco and Frente Polisario, given the long-standing status of Western Sahara. Some foreign oil companies, including Kosmos Energy, carried out oil exploration and exploratory drilling in Western Saharan territorial waters. In a letter dated 19 March 2015 addressed to me, the Permanent Representative of Morocco to the United Nations stated that "Kosmos Energy's exploration activities were preceded by wide consultations" with the local population, and "are governed by applicable international principles and standards ... in particular those deriving from the Charter of the United Nations and recalled in the letter S/2002/161 dated 29 January 2002 addressed to the President of the Security Council ... by [the] Under-Secretary-General for Legal Affairs". Frente Polisario and Western Saharan organizations spoke out against these activities repeatedly, pointing out that they had not been consulted and that any exploitation of resources, if found, would violate the legal opinion provided in the letter cited above. The Secretary-General of Frente Polisario, in a letter to me dated 26 January 2015, referred to the activities as a violation of international law.

63. Information concerning the human rights of refugees in the camps near Tindouf remains limited. A report by Human Rights Watch published in October 2014 stated that it had found no evidence of organized restrictions on freedom of movement or any pattern of serious abuse, but had found several areas of concern. These included the persistence of isolated claims of torture or mistreatment by Frente Polisario security forces, the use of military courts in investigating and trying civilians, the persistence of the remnants of slavery and Frente Polisario's monopolization of political speech. The report also highlighted the responsibility of Algeria, as the host country, for ensuring the protection of the human rights of all persons on its territory.

64. On several occasions during the reporting period, Frente Polisario sent letters to me reiterating its call for the creation of a permanent United Nations mechanism for the protection and monitoring of human rights in Western Sahara. In a letter sent to the United Nations High Commissioner for Human Rights dated 4 November 2014, Frente Polisario offered to facilitate the establishment of a OHCHR presence in the Tindouf camps, as well as in that part of Western Sahara east of the berm. Morocco insisted repeatedly that international human rights and refugee law required OHCHR to work with Algeria, the host country, in dealing with human rights in the refugee camps.

VI. African Union

65. MINURSO continued its cooperation with the observer delegation of the African Union in Laayoune, led by Yilma Tadesse (Ethiopia), as well as its support for the delegation with logistical and administrative assistance drawn from its existing resources.

66. In June 2014, the Special Envoy of the African Union for Western Sahara, former President Joaquim Chissano, met with my Deputy, my Personal Envoy and other United Nations officials in New York to convey the concern of the African

Union over the lack of progress in the ongoing negotiations. Mr. Chissano indicated that he sought to play a helpful role in raising awareness of the need to advance towards a settlement of the dispute.

67. In a letter dated 9 June 2014, the Permanent Representative of Morocco reiterated his Government's firm opposition to any involvement of the African Union in the question of Western Sahara, stating that the organization had lost any legitimacy to play a role in the settlement of the dispute by taking a position in favour of one party. In a second letter dated 1 July 2014, he rejected the appointment of Mr. Chissano as null and void.

68. In a letter to me dated 30 March 2015, the Chair of the African Union Commission, Nkosazana Dlamini Zuma, transmitted the communiqué of the 496th meeting of the Peace and Security Council, as well as her report on the Western Sahara negotiations and related issues, and asked that they be distributed to the Security Council and the General Assembly (A/69/861-S/2015/240). In a letter to me dated 5 April 2015, the Minister for Foreign Affairs of Morocco reiterated "the categorical opposition of the Kingdom of Morocco to any role for or involvement by the African Union, in whatever form, in the issue of the Moroccan Sahara" for a number of reasons explained in the letter addressed to me by His Majesty King Mohammed VI in June 2013 and reiterated in subsequent letters by Moroccan high officials. It was requested that the letter be circulated as a document of the Security Council and the General Assembly.

VII. Financial aspects

69. The General Assembly, by its resolution 68/296, appropriated the amount of $53.9 million for the maintenance of MINURSO for the period from 1 July 2014 to 30 June 2015. Should the Security Council decide to extend the mandate of MINURSO beyond 30 April 2015, the cost of maintaining the Mission until 30 June 2015 would be limited to the amounts approved by the General Assembly.

70. The proposed budget for MINURSO for the period from 1 July 2015 to 30 June 2016 in the amount of $53.3 million (exclusive of budgeted voluntary contributions in kind) has been submitted to the General Assembly for consideration during the second part of its resumed sixty-ninth session (A/69/730).

71. As at 25 March 2015, unpaid assessed contributions to the special account for MINURSO amounted to $40.5 million. As at 28 February 2015, amounts owed to troop contributors totalled $181,200. MINURSO also owed $114,000 for contingent-owned equipment as of 31 December 2014. Reimbursement of troop and contingent-owned equipment costs has been made for the period up to July 2014 and June 2014, respectively, owing to the insufficiency of cash in the special account of the Mission.

VIII. Observations and recommendations

72. Given the lack of progress towards a resolution of the dispute over the status of Western Sahara, which has not changed since my last report, the efforts of the United Nations through the work of my Personal Envoy and of MINURSO remain highly relevant.

73. Growing frustrations among Western Saharans, coupled with the geographic expansion of criminal and extremist networks in the Sahel-Sahara zone, present increased risks for the stability and security of the region. A settlement of the Western Sahara conflict would mitigate these potential risks. I reiterate my call on the parties to seriously engage with the Personal Envoy and to sustain and intensify their efforts to negotiate a "mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara" (see Security Council resolution 2152 (2014), para. 7). The members of the international community can, collectively and individually, play a critical role in this regard by encouraging the parties and the neighbouring States to remain engaged with my Personal Envoy.

74. In the light of last year's protracted period of clarifications at the request of Morocco, it is too early to provide an indication of whether or not the new approach of bilateral consultations and shuttle diplomacy launched by my Personal Envoy will prove fruitful. However, I expect that he will enjoy the effective support of the members of the Security Council and the full cooperation of the parties and neighbouring States as he moves forward, keeping me and the Security Council informed on the progress for which we all hope. Forty years after the beginning of this conflict and eight years after presentation of the parties' proposals, there can be no justification for continuing to maintain the status quo and failing to engage constructively and imaginatively in the search for a solution.

75. I welcome the parties' discussion of military agreement No.1 governing the ceasefire monitoring regime, and I call for continued and constructive cooperation with the Mission to move forward on the issues involved. MINURSO carries out a number of important duties that derive from Security Council resolutions and normal peacekeeping functions. I therefore seek the assistance of the Council in supporting the mandated role of MINURSO, upholding peacekeeping standards and the impartiality of the United Nations and ensuring that the conditions for successful operation of the Mission are met. The Mission's presence is relevant to ensure the parties' observation of the ceasefire and as a visible representation of the international community's commitment to achieving a resolution to the conflict. As broad engagement across sectors and communities is essential for any peacekeeping mission, I hope in particular that the remaining limitations on its "free interaction with all interlocutors", as cited in Security Council resolutions 2044 (2012), 2099 (2013) and 2152 (2014), will be removed. In this context, and in light of the continuing efforts of my Personal Envoy, and the continuing importance of MINURSO, I recommend that the Security Council extend the mandate of MINURSO for a further 12 months, until 30 April 2016.

76. I am concerned by the suspension of family visits and seminars under the confidence-building measures programme. I therefore encourage the parties to re-engage in dialogue and resolve any outstanding issues with the aim of resuming these important humanitarian programmes for the benefit of the entire Western Saharan population.

77. I urge the international community to provide urgent additional funding for the UNHCR mandate programme in the refugee camps near Tindouf, given the existing gaps in key areas of assistance such as protection, health, nutrition, food security, shelter, water and sanitation. At the same time, I note continuing questions about the

number of refugees requiring assistance. These highlight the need to address registration of the refugee population.

78. I commend the positive steps that Morocco has taken on the protection of human rights during the reporting period. These include the adoption of the new Code on Military Justice and accession to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. However, while welcoming these developments, I call on the parties to continue and further enhance their cooperation with United Nations human rights mechanisms and OHCHR, including by facilitating OHCHR missions to Western Sahara and the refugee camps near Tindouf, with unrestricted access to all relevant stakeholders.

79. These missions and other future forms of cooperation between the parties and OHCHR and other United Nations human rights mechanisms should contribute to an independent and impartial understanding of the human rights situation in both Western Sahara and the camps, with the goal of ensuring protection of all, as well as to comprehensive and sustained implementation of international human rights standards by the parties. Human rights do not have borders; all stakeholders are thus obliged to uphold the fundamental freedoms and human rights of all people. It is vital that all human rights protection gaps and underlying human rights issues in situations of protracted conflict be addressed. This would also contribute to creating an environment conducive to the negotiating process.

80. In the light of increased interest in the natural resources of Western Sahara, it is timely to call upon all relevant actors to "recognize the principle that the interests of the inhabitants of these territories are paramount", in accordance with Chapter XI, Article 73 of the Charter of the United Nations.

81. In conclusion, I wish to thank my Personal Envoy for Western Sahara, Christopher Ross, for his repeated engagement with the parties and neighbouring States. I also thank my previous Special Representative in Western Sahara, Wolfgang Weisbrod-Weber, his successor, Kim Bolduc, and Major General Imam Edy Mulyono for their able and dedicated leadership of MINURSO. Finally, I also thank the men and women of MINURSO for their work to fulfil the Mission's mandate in difficult circumstances.

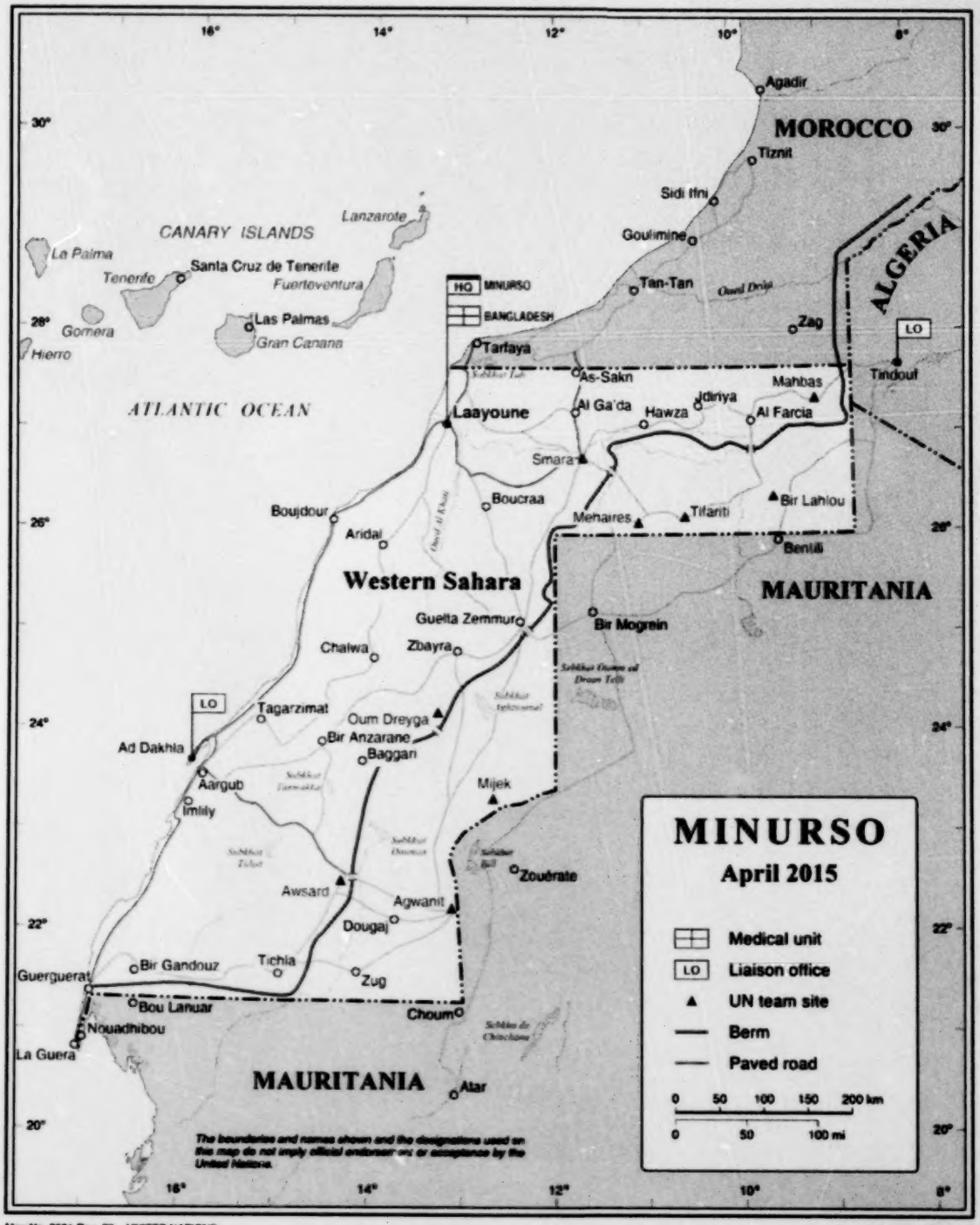
Annex

United Nations Mission for the Referendum in Western Sahara

Contributions as at 31 March 2015

Country	*Military observers*[a]	*Troops*[a]	*Civilian police*[b]	*Total*
Argentina	3	0	1	4
Austria	3	0	0	3
Bangladesh	6	20	0	26
Brazil	8	0	0	8
China	10	0	0	10
Croatia	7	0	0	7
Egypt	20	0	2	22
El Salvador	3	0	0	3
France	7	0	0	7
Germany	4	0	0	4
Ghana	5	7	0	12
Guinea	5	0	0	5
Honduras	12	0	0	12
Hungary	7	0	0	7
India	3	0	0	3
Indonesia	4	0	0	4
Ireland	3	0	0	3
Jordan	0	0	1	1
Kazakhstan	3	0	0	3
Malawi	3	0	0	3
Malaysia	10	0	0	10
Mongolia	4	0	0	4
Nepal	3	0	0	3
Nigeria	4	0	0	4
Pakistan	13	0	0	13
Paraguay	5	0	0	5
Poland	1	0	0	1
Republic of Korea	3	0	0	3
Russian Federation	7	0	0	7
Sri Lanka	1	0	0	1
Switzerland	2	0	0	2
Togo	1	0	0	1
Yemen	9	0	2	11
Total	**179**	**27**	**6**	**212**[c]

[a] Authorized military strength is 246, including the Force Commander.
[b] Authorized strength is 12.
[c] Actual strength on the ground, for military and civilian police, including the Force Commander.



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